

EXPRESS MAIL NO. EV336597606US

PTO/SB/01A (10-00).

Approved for use through 10/31/2002. OMB 0651-0032. U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	METHOD OF MAKING A MEMBRANE ELECTRODE ASSEMBLY FOR ELECTROCHEMICAL FUEL CELLS
--------------------	---

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or  
☒ Application No. 10/601,275, filed on June 20, 2003,  
☐ as amended on \_\_\_\_\_ (if applicable);



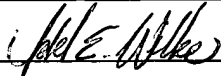
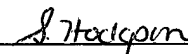
I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

### FULL NAME OF INVENTOR(S)

Inventor one:	<u>Siyu Ye</u>	Citizen of:	<u>Canada</u>
Signature:		Date:	<u>July 22, 2003</u>
Inventor two:	<u>Paul Beattie</u>	Citizen of:	<u>Great Britain</u>
Signature:		Date:	<u>AUGUST 6<sup>TH</sup>, 2003</u>
Inventor three:	<u>Todd E. Wilke</u>	Citizen of:	<u>US</u>
Signature:		Date:	<u>22 July 2003</u>
Inventor four:	<u>Shannon R. Hodgson</u>	Citizen of:	<u>Canada</u>
Signature:		Date:	<u>July 22, 2003</u>

☒ Additional inventors are being named on \_\_\_ additional form(s) attached hereto.


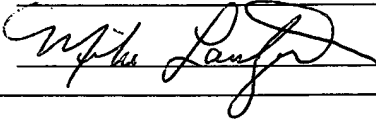
Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

Docket No. 130109.502

397921\_1.DOC

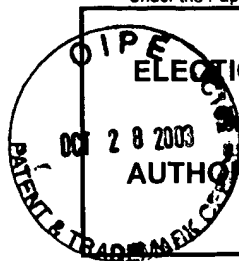
**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION  
USING AN APPLICATION DATA SHEET (37 CFR 1.76)****ADDITIONAL INVENTOR(S)  
Supplemental Sheet**Page 2 of 2

## FULL NAME OF INVENTOR(S)

Inventor five:	Kyoung Bai	Citizen of:	Canada
Signature:		Date:	July 28, 2003
Inventor six:	Michael V. Lauritzen	Citizen of:	Canada
Signature:		Date:	July 25, 2003
Inventor seven:		Citizen of:	
Signature:		Date:	
Inventor eight:		Citizen of:	
Signature:		Date:	

☐ Additional inventors are being named on \_\_\_\_\_ additional form(s) attached hereto.

D:\130109.502 \397921\_1.DOC

**ELECTION AND POWER OF  
ATTORNEY OR  
AUTHORIZATION OF AGENT**

Application Number	10/601,275
Filing Date	June 20, 2003
First Name of Inventor	Siyu Ye
Group Art Unit	
Examiner Name	
Attorney Docket Number	130109.502

I hereby appoint:

☒ Practitioners at Customer Number 

OR

☐ Practitioner(s) named below:**\*00500\***  
**00500**

PATENT TRADEMARK OFFICE

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

OR

<input type="checkbox"/> Firm or Individual Name					
Address					
Address					
City		State		ZIP	
Country					
Telephone		Fax			

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

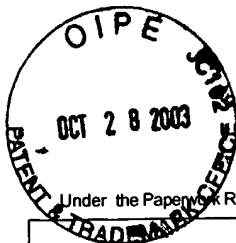
☒ As assignee of record of the entire interest hereby elect, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor**SIGNATURE of Applicant or Assignee of Record**

Name	Noordin S.K. Nanji – Vice-President, Corporate Strategy & Development
Signature	
Date	August 11, 2003
Name	Dave Smith – Chief Financial Officer
Signature	
Date	August 11, 2003

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any Comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



EXPRESS MAIL NO. EV336597606US

PTO/SB/96 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Siyu Y t al.

Application No./Patent No.: 10/601,275

Filed/Issue Date: June 20, 2003

Entitled: METHOD OF MAKING A MEMBRANE ELECTRODE ASSEMBLY FOR ELECTROCHEMICAL FUEL CELLS

Ballard Power Systems Inc.

(Name of Assignee)

a

Corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or

2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

August 11, 2003  
Date

Noordin S.K. Nanji

Typed or printed name

[Signature]  
Signature

Vice-President, Corporate Strategy & Development

Title

August 11, 2003  
Date

Dave Smith

Typed or printed name

[Signature]  
Signature

Chief Financial Officer

Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. D:\130109.502\397919\_1.DOC

**COPY****ASSIGNMENT**

WHEREAS, we,

Name	Post Office Address	
Siyu Ye	5683 Oakland Street, Burnaby, British Columbia, CANADA V5H 1S2	;
Paul Beattie	1119 Barberry Place, Port Moody, British Columbia, CANADA V3H 3Y6	;
Todd E. Wilke	6680 Wellington Avenue, West Vancouver, British Columbia, CANADA V7W 2H9	;
Shannon R. Hodgson	1399 Laburnum Street, Vancouver, British Columbia, CANADA V6J 3W4	;
Kyoung Bai	2468 McLeary Crescent, Cranbrook, British Columbia, CANADA V1C 5Y4	; and
Michael V. Lauritzen	7630 Halifax Street - #1507, Burnaby, British Columbia, CANADA V5A 1M4	,

(hereinafter referred to as ASSIGNORS), having post office addresses as listed above next to our names, are the joint inventors of an invention entitled

**METHOD OF MAKING A MEMBRANE ELECTRODE  
ASSEMBLY FOR ELECTROCHEMICAL FUEL CELLS**

as described and claimed in the specification for which an application for United States letters patent was filed on June 20, 2003, and assigned Application No. 10/601,275;

WHEREAS, Ballard Power Systems Inc. (hereinafter referred to as ASSIGNEE), a Canadian corporation having a place of business at 4343 North Fraser Way, Burnaby, British Columbia, Canada V5J 5J9, is desirous of acquiring the entire right, title and interest in and to said invention, this application, and any Letters Patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign and transfer unto said

ASSIGNEE the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer and sale not been made. ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNORS agree to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters patent on said invention, for litigation regarding letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

July 22, 2003  
 Date Siyu Ye  
 Province of British Columbia )  
 ) ss.  
 Country of Canada )

I certify that I know or have satisfactory evidence that Siyu Ye is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated July 22, 2003  
 Signature of Victor Tuomi  
 Notary Public Victor Tuomi  
 Printed Name Victor Tuomi  
 My appointment does not expire

August 6<sup>TH</sup>, 2003  
Date

P.D. Beattie  
Paul Beattie

Province of British Columbia )  
Country of Canada )

ss.

I certify that I know or have satisfactory evidence that Paul Beattie is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated 06 Aug 03  
Signature of Notary Public [Signature]  
Printed Name KERRY B. HILLIER  
My appointment does not expire

22 July 2003  
Date

Todd E. Wilke  
Todd E. Wilke

Province of British Columbia )  
Country of Canada )

ss.

I certify that I know or have satisfactory evidence that Todd E. Wilke is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated July 22, 2003  
Signature of Notary Public [Signature]  
Printed Name VICTOR TUOMI  
My appointment does not expire

July 22, 2003  
Date

S. Hodgson  
Shannon R. Hodgson

Province of British Columbia )  
Country of Canada )

ss.

I certify that I know or have satisfactory evidence that Shannon R. Hodgson is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated July 22, 2003

Signature of Notary Public Victor Tuomi

Printed Name Victor Tuomi

My appointment does not expire

July 28, 2003  
Date

Kyoung Bai  
Kyoung Bai

Province of British Columbia )  
Country of Canada )

ss.

I certify that I know or have satisfactory evidence that Kyoung Bai is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated July 28, 2003

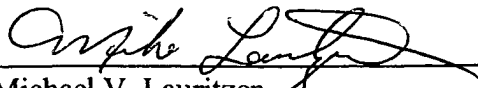
Signature of Notary Public Victor Tuomi

Printed Name Victor Tuomi

My appointment does not expire



July 25, 2003  
Date

  
Michael V. Lauritzen

Province of British Columbia )  
Country of Canada )

ss.

I certify that I know or have satisfactory evidence that Michael V. Lauritzen is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated 25 JULY 2003

Signature of Notary Public 

Printed Name TANYA J ROTHE

My appointment does not expire